

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ELROY DEWITT PINKENEY a/k/a ROY  
DEWITT PINKENEY,

Plaintiff(s),

09cv0166

**ELECTRONICALLY FILED**

v.

CHASE HOME FINANCE, LLC,

Defendant(s).

O R D E R OF COURT

Pursuant to Document No. 1 and Bankruptcy Rule 8009, Appellant's brief was due by February 24, 2009. Appellant failed to file his brief. On February 25, 2009, this Court issued an Order to Show Cause why this case should not be dismissed for failure to prosecute and ordered a response from Appellant by March 17, 2009. As of this date, no response has been filed.

Accordingly, this 25<sup>th</sup> day of March, 2009, this case will be dismissed for failure to prosecute. The Clerk shall mark the docket closed.

s/Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel and Parties